

Service Date: March 12, 1998

FINAL ORDER NO. 6443

DEPARTMENT OF PUBLIC SERVICE REGULATION  
MONTANA PUBLIC SERVICE COMMISSION  
1701 Prospect Avenue, P.O. Box 202601  
Helena, Montana 59620-2601

IN THE MATTER of <b>Mary Belle Harper</b>	)	
<b>dba V.I.P. Taxi Service</b> , Livingston, Montana,) )		
Application for a Montana Intrastate	)	DOCKET T-97.104.PCN
Certificate of Public Convenience and	)	Order No. 6443
Necessity.	)	

The Commission, being fully advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

1. On October 28, 1997, **Mary Belle Harper dba V.I.P. Taxi Service**, Livingston,, Montana, filed an application with the Montana Public Service Commission under Title 69, MCA, for a Certificate of Public Convenience and Necessity authorizing transportation of the following:

Class C - Passengers between all points and places in the following counties: Broadwater, Gallatin, Granite, Jefferson, Lewis and Clark, Meagher, Mineral, Missoula, Park, Powell, Sanders, Stillwater, Sweetgrass, and Yellowstone.

Limitation: Transportation is limited to the accounts of Montana Rail

Link and Livingston Memorial Hospital or their successors in interest.

2. In accordance with Section 69-23-321, MCA, this matter was noticed to the public December 9, 1997. That notice said in pertinent part:

If no written protests are received by December 29, 1997, a hearing may not be held and a final order may be issued in this Docket. If a protest is received, a hearing will be scheduled. Individual notice of the hearing will be given only to Protestants and Applicant.

The application included affidavits of support.

3. Protests were filed by Valet Limousine, Inc., Missoula, MT; and Powder River Transportation Services, Inc., Gillette, Wyoming.

4. Notice of Public Hearing was issued January 28, 1998, with hearing scheduled for March 18, 1998, in Helena, Montana.

5. All protests were withdrawn after the Applicant restrictively amended the application. The amendments are incorporated into the Order granting authority herein.

6. The record of this application is available for inspection at the Public Service Commission Office, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana 59620-2601.

#### CONCLUSIONS OF LAW

1. The Montana Public Service Commission properly exercises jurisdiction over the parties and subject matter in this proceeding.

2. The Commission afforded all parties interested in this proceeding proper notice and an opportunity to participate.

3. Public Convenience and Necessity require a grant of the authority sought by the Applicant.

#### ORDER

NOW THEREFORE, at a session of the Public Service Commission, Department of Public Service Regulation of the State of Montana, held in its offices at 1701 Prospect Avenue, Helena, Montana, on the 9th day of March, 1998, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-97.104.PCN, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of **Mary Belle Harper dba V.I.P. Taxi Service**, Livingston, , Montana, for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent:

**Class C - Passengers between all points and places in the following counties: Broadwater, Gallatin, Granite, Jefferson, Lewis and Clark, Meagher, Mineral, Missoula, Park, Powell, Sanders, Stillwater, Sweetgrass, and Yellowstone.**

**Limitation: (1) Transportation is limited to the account of**

**Livingston Memorial Hospital or their successors in interest, and (2)**

**Transportation in limousine service is prohibited.**

IT IS FURTHER ORDERED that a full, true and correct copy of this order be sent forthwith by first class mail to the applicant and all parties herein.

THE FOREGOING ORDER was adopted by the Department of Public Service Regulation of the State of Montana, Public Service Commission, IN OPEN SESSION at Helena, Montana, this 9th day of March, 1998, by a vote of 5-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

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DAVE FISHER, Chairman

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NANCY McCaffree, Vice Chair

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BOB ANDERSON, Commissioner

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DANNY OBERG, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Final Order issued in Docket T-97.104.PCN in the matter of Mary Belle Harper dba V.I.P. Taxi Service, Livingston, Montana has today been sent to all parties listed.

MAILING DATE: March 12 , 1998

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FOR THE COMMISSION

FIRST CLASS MAIL

Mary Belle Harper  
dba V.I.P. Taxi Service  
424 South 13th Street  
Livingston, MT 59047

Valet Limousine, Inc.  
3820 South Third West  
Missoula, MT 59801

Powder River Transportation Services,  
Inc.  
1700 East Highway 14-16  
P. O. Box 2578  
Gillette, WY 82717-2578

Terry B. Cosgrove  
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AS ITS INTERESTS MAY APPEAR:

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616 Helena Avenue  
P.O. Box 201703  
Helena, MT 59620-1703